

Certificate of Mailing	
Date of Deposit <u>December 10, 1999</u>	Label Number: <u>EL509044696US</u>
<p>I hereby certify under 37 C.F.R. § 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to BOX PATENT APPLICATION, Assistant Commissioner of Patents, Washington, D.C. 20231.</p> <p> Luis Cruz Printed name of person mailing correspondence</p> <p>Signature of person mailing correspondence</p>	

Substitute Form PTO 1390 U.S. Department of Commerce Patent and Trademark Office		Attorney's Docket Number: 50125/008001
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. Application Number: 09/445362
INTERNATIONAL APPLICATION NUMBER	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/EP 98/03584	15/06/1998	13/06/1997
TITLE OF INVENTION:	MYOCARDIUM- AND SKELETAL MUSCLE-SPECIFIC NUCLEIC ACID, ITS PREPARATION AND USE	
APPLICANTS FOR DO/EO/US:	Marion Elke Hofmann, Horst Domdey, and Thomas Henkel	
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/>	This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.	
2. <input type="checkbox"/>	This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.	
3. <input checked="" type="checkbox"/>	This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).	
4. <input checked="" type="checkbox"/>	A proper Demand for International Preliminary Examination was made by the 19 th month from the earliest claimed priority date.	
5. <input type="checkbox"/>	A copy of the International Application as filed (35 U.S.C. 371(c)(2)).	
a. <input type="checkbox"/>	is transmitted herewith (required only if not transmitted by the International Bureau).	
b. <input checked="" type="checkbox"/>	has been transmitted by the International Bureau.	
c. <input type="checkbox"/>	Is not required, as the application was filed with the United States Receiving Office (RO/US).	
6. <input checked="" type="checkbox"/>	A translation of the International Application into English (35 U.S.C. 371(c)(2)).	
7. <input type="checkbox"/>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).	
a. <input type="checkbox"/>	are transmitted herewith (required only if not transmitted by the International Bureau).	
b. <input type="checkbox"/>	have been transmitted by the International Bureau.	
c. <input type="checkbox"/>	have not been made; however, the time limit for making such amendments has NOT expired.	
d. <input checked="" type="checkbox"/>	have not been made and will not be made.	
8. <input type="checkbox"/>	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).	
9. <input checked="" type="checkbox"/>	An unsigned oath or declaration of the inventors (35 U.S.C. 371(c)(4)).	

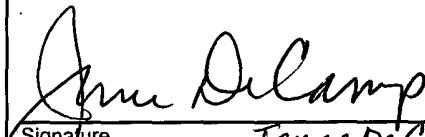
09/445362

430 Rec PCT/PTO 10 DEC 1999

10.	A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).																																																								
11.	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.																																																								
12.	An assignment for recording. A separate cover sheet in compliance with 37 3.28 and 3.31 is included.																																																								
13.	A FIRST preliminary amendment.																																																								
	A SECOND or SUBSEQUENT preliminary amendment.																																																								
14.	A substitute specification.																																																								
15.	A change of power of attorney and/or address letter.																																																								
16.	X	Other items or information: PCT Request (PCT Antrag) and PCT International Search Report (Formblatt PCT/ISA/210)																																																							
17.	<p>The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492(A)(1)-(5)):</p> <table> <tr> <td>Search Report has been prepared by the EPO or JPO</td> <td>\$ 930.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 CFR 1.482)</td> <td>\$ 720.00</td> </tr> <tr> <td>No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee (37 CFR 1.445(a)(2)) paid to USPTO</td> <td>\$ 790.00</td> </tr> <tr> <td>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO</td> <td>\$ 1070.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)</td> <td>\$ 98.00</td> </tr> </table> <p>ENTER APPROPRIATE BASIC FEE AMOUNT = \$1070.00</p> <p>Surcharge of \$130 for furnishing the oath or declaration later than □ 20 OR □ 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$</p> <table> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>[**] - 20 =</td> <td></td> <td>x \$22.00</td> </tr> <tr> <td>Independent claims</td> <td>[**] - 3 =</td> <td></td> <td>x \$82.00</td> </tr> <tr> <td colspan="3">Multiple dependent claims (if applicable)</td> <td>+ \$270.00</td> </tr> <tr> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 1070.00</td> </tr> <tr> <td colspan="3">Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed with this request (Note 37 CFR 1.9, 1.27, 1.28).</td> <td>\$</td> </tr> <tr> <td colspan="3">SUBTOTAL =</td> <td>\$</td> </tr> <tr> <td colspan="3">Processing fee of \$130.00 for furnishing the English translation later than □ 20 OR □ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td>+ \$</td> </tr> <tr> <td colspan="3">TOTAL NATIONAL FEE =</td> <td>\$</td> </tr> <tr> <td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.</td> <td>+ \$</td> </tr> <tr> <td colspan="3">TOTAL FEES ENCLOSED =</td> <td>\$1070.00</td> </tr> </tbody> </table>			Search Report has been prepared by the EPO or JPO	\$ 930.00	International preliminary examination fee paid to USPTO (37 CFR 1.482)	\$ 720.00	No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$ 790.00	Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$ 1070.00	International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)	\$ 98.00	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	[**] - 20 =		x \$22.00	Independent claims	[**] - 3 =		x \$82.00	Multiple dependent claims (if applicable)			+ \$270.00	TOTAL OF ABOVE CALCULATIONS =			\$ 1070.00	Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed with this request (Note 37 CFR 1.9, 1.27, 1.28).			\$	SUBTOTAL =			\$	Processing fee of \$130.00 for furnishing the English translation later than □ 20 OR □ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			+ \$	TOTAL NATIONAL FEE =			\$	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.			+ \$	TOTAL FEES ENCLOSED =			\$1070.00
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430 Rec'd T/PTO 10 DEC 1999

		Amount to be refunded	\$
		charged	\$
a.	<input checked="" type="checkbox"/>	A check in the amount of \$ 1070.00 to cover the above fees is enclosed.	
b.		Please charge my Deposit Account No. 03-2095 in the amount of \$ [**.**] to cover the above fees.	
c.	<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 03-2095. A duplicate copy of this sheet is enclosed.	
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.</p>			
SEND ALL CORRESPONDENCE TO: Karen L. Elbing, Ph.D. Clark & Elbing LLP 176 Federal Street Boston, MA 02110-2214 Telephone: 617-428-0200 Facsimile: 617-428-7045			
 Signature James DeCamp Reg. No. 43,580 Karen L. Elbing, Ph.D. Reg No. 35,238			

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